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EXAMINER				
FINEMAN, LEE A				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/787,172

Applicant(s)

UEHARA ET AL.

Examiner

LEE FINEMAN

Art Unit

2872

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 April 2008.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5, 15, 16, 45 and 48-51 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-5, 15, 16, 45 and 48-51 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 04 April 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB08)
Paper No(s)/Mail Date _____
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____

DETAILED ACTION

This Office Action is in response to an amendment filed 14 April 2008 in which claims 1-3 and 5 were amended and claims 49-51 were added. Claims 1-5, 15, 16, 45 and 48-51 are pending.

Claim Objections

1. Claim 51 is objected to because of the following informalities: The limitation "an lens film" is grammatically incorrect. Appropriate correction is required.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-3, 15, 45 and 48-51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Snaper et al., US 4,140,370 (henceforth Snaper) in view of Takahashi et al., US 4,921,330 (henceforth Takahashi).

Regarding claims 1 and 48, Snaper discloses in fig. 14 an image display device (unnumbered) comprising: a display panel (unnumbered) which has a plurality of pixel sections each of which includes at least a pixel displaying an image for the first viewpoint and a pixel displaying an image for the second viewpoint, said pixel sections being provided periodically in one direction (see column 4, lines 9-12); an optical unit (66 and 68) which refracts the light

emitted from said pixels and emits the light in directions different from each other (column 4, lines 44-47), and an adhesive layer/means (column 7, lines 31-32) for fixing the optical unit to the display panel which is provided on a part of an area (frame area around image area, unnumbered in fig. 14) enclosing an image display area of said display panel (fig. 14) to fix the optical unit and the display panel in line (fig. 14). Snaper discloses the claimed invention except for explicitly stating wherein the adhesive layer is provided to install the optical unit on the display panel such that a positional relationship between the optical unit and the display panel is maintained while permitting a difference in expansion or contraction between the optical unit and the display panel; or the means for fixing the optical unit to the display panel such that an unfixed part between the optical unit and the display panel may be deformed to absorb stress. Takahashi teaches in figs. 1 and 2, providing an adhesive layer/means for fixing (7) an optical unit (3) to a panel (2) such that a positional relationship between the optical unit and the device is maintained while permitting a difference in expansion or contraction between the optical unit and panel (see column 4, line 60-column 6, line 15) and such that an unfixed part (bottom of screen S) between the optical unit and the panel may be deformed to absorb stress (see column 4, line 60-column 6, line 15). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the adhesive layer as taught by Takahashi between the optical unit and display panel of Snaper to avoid undulation and swelling between the system elements (Takahashi, column 3, lines 39-42).

Regarding claim 2, Snaper further discloses wherein said optical unit is a lenticular lens (66) having a plurality of semicylindrical lenses (e.g., fig. 10), longitudinal direction of which is perpendicular to said one direction (fig. 10), and said adhesive layer (not shown, on periphery

70) is provided along the side of a frame (68) extending in a longitudinal direction of said semicylindrical lens in said optical unit (fig. 14).

Regarding claims 3 and 15, Snaper further discloses wherein said optical unit is a lenticular lens (66) having a plurality of semicylindrical lenses (e.g., fig. 10), longitudinal direction of which is perpendicular to said one direction (fig. 10), and said adhesive layer (not shown, on periphery 70) is provided along the side extending in a direction orthogonal to the longitudinal direction of said semicylindrical lens in said optical unit (fig. 14).

Regarding claim 45, Snaper further discloses wherein the fixing unit (not shown, on periphery 70) is provided along at least two sides of the optical unit (fig. 14).

Regarding claims 49-51, Snaper further discloses in fig. 14 an image display device (unnumbered) comprising: a display panel (unnumbered) which has a plurality of pixel sections each of which includes at least a pixel displaying an image for the first viewpoint and a pixel displaying an image for the second viewpoint, said pixel sections being provided periodically in one direction (see column 4, lines 9-12); an optical screen/optical sheet/lens film (66) which refracts the light emitted from said pixels and emits the light in directions different from each other (column 4, lines 44-47), and an adhesive layer/means (column 7, lines 31-32) for fixing (via 68) the optical screen/optical sheet/lens film to the display panel which is provided on a part of an area (frame area around image area, unnumbered in fig. 14) enclosing an image display area of said display panel (fig. 14) to fix the optical screen/optical sheet/lens film and the display panel in line (fig. 14). Snaper discloses the claimed invention except for explicitly stating wherein the adhesive layer is provided to install the optical screen/optical sheet/lens film on the display panel such that a positional relationship between the optical unit and the display panel is

maintained while permitting a difference in expansion or contraction between the optical screen/optical sheet/lens film and the display panel. Takahashi teaches in figs. 1 and 2, providing an adhesive layer/means for fixing (7) an optical screen/optical sheet/lens film (3) to a panel (2) such that a positional relationship between the optical screen/optical sheet/lens film and the device is maintained while permitting a difference in expansion or contraction between the optical screen/optical sheet/lens film and panel (see column 4, line 60-column 6, line 15). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the adhesive layer as taught by Takahashi between the optical screen/optical sheet/lens film and display panel of Snaper to avoid undulation and swelling between the system elements (Takahashi, column 3, lines 39-42).

4. Claims 4, 5 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Snaper in view of Eichenlaub, US 5,410,345.

Snaper discloses the claimed invention except wherein the optical unit is a fly-eye lens having a plurality of convex lenses in which a lens pitch in said one direction and the lens pitch in a direction perpendicular to said one direction are equal to each other. Eichenlaub teaches in fig. 13 that fly-eye lenses (178) with the lens pitch in said one direction and the lens pitch in a direction perpendicular to said one direction are equal to each other are a well known lens array in the stereoscopic art. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use a fly-eye lens with the lens pitch in said one direction and the lens pitch in a direction perpendicular to said one direction are equal to each other as taught by Eichenlaub in the system of Snaper as they are commonly available and easy to obtain type of

lens array. Therefore, said adhesive layer (not shown, on periphery 70) is provided both along the side orthogonal to the short side of said optical unit and along a short side of said optical unit.

Response to Arguments

5. Applicant's arguments filed 14 April 2008 have been fully considered but they are not persuasive.

Applicant argues that the optical unit of Snaper does not adhere to the television receiver but to the frame or case thereof and therefore does not meet the claimed language. The examiner respectfully disagrees. The claimed limitation of a display panel is not limited to a panel without a frame. It is the examiner's position that the television of Snaper (including the frame) is a display panel as it has a plurality of pixel sections each of which includes at least a pixel displaying an image for the first viewpoint and a pixel displaying an image for the second viewpoint, said pixel sections being provided periodically in one direction (see column 4, lines 9-12) which is the only defining feature of the display panel. Therefore as the optical unit is attached to the television, it meets the claimed language and the rejection is maintained.

In response to applicant's argument that Takahashi reference is nonanalogous art, it has been held that a prior art reference must either be in the field of applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the applicant was concerned, in order to be relied upon as a basis for rejection of the claimed invention. See *In re Oetiker*, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir. 1992). In this case, Takahashi is be reasonably pertinent to the particular problem with which the applicant was concerned, which is providing adhesion

which maintains a positional relationship while permitting a difference in expansion or contraction.

6. It is noted by the Examiner that the claim objections made in the previous Office Action have been withdrawn due to amendment by the Applicant.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LEE FINEMAN whose telephone number is (571)272-2313. The examiner can normally be reached on Monday - Friday 8:00 - 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephone B. Allen can be reached on (571) 272-2434. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Lee Fineman/
Patent Examiner, Art Unit 2872
August 1, 2008